



PLANNING BOARD
Town of Greenland • Greenland, NH 03840
11 Town Square • PO Box 100
Phone: 603.431.3070 • Fax: 603.430.3761
Website: greenland-nh.com

MINUTES OF THE PLANNING BOARD MEETING

Thursday, November 15, 2018 – 7:00 p.m. – Town Hall Conference Room

Members Present: Frank Catapano, James Connelly, Stu Gerome, John McDevitt, David Moore, Steve Gerrato (Alternate), Paul Sanderson (Selectmen's Rep)

Members Absent: Rich Winsor

Late Arrival: Catie Medeiros (Alternate)

Staff Present: Mark Fougere – Consultant

Also Present: Ron Lamarre – Lavalley|Brensinger Architects; Ben Dreyer – Underwood Engineering; Marcia McLaughlin – Chair, Library Trustees; Craig McLaughlin – Chair, Library Building Committee; Denise Grimse – Library Director; Members of the Library Trustees and Building Committee

Chair Gerome opened the Planning Board public hearing at 7:00 p.m. A roll call was taken by the Chair; he announced a quorum was present and the meeting was being recorded.

1. Projects of Regional Impact

There were no projects of regional impact to discuss.

2. Library Update

Marcia McLaughlin, Library Trustees Chairman, addressed the Board stating that their architect and Underwood Engineering would be making presentations. Also present were Library Trustees and members of the Library Building Committee.

Ron Lamarre, Lavalley|Brensinger Architects, addressed the Board. Copies of updated documents as well as their response to the Planning Board Engineer were provided to the Board (copies on file). R. Lamarre stated the plans are still in the review process with NHDES. They have allowed the septic to be decreased to 999 gallons, which is based on the flows from the Church and Library (reduced slightly in size). R. Lamarre pointed out on the plan that steps have been added to one side of the addition. A local landscape designer is working directly with the neighbor; they will be putting together a terraced piece against their property. DES is waiting for the letter between the Church and Library once it's resolved. Craig McLaughlin, Library Building Committee Chair, has spoken to Tom Donovan, Director of Charitable Trusts – Attorney General's Office, on several occasions. T. Donovan suggested a legal document to formalize a situation that's been ongoing for years between the Church and Library would be satisfactory.

DOT has reviewed the Post Road side. R. Lamarre stated they have received an email from DOT that they will be given a permit in March. DOT also advised them they will be making street improvements on Post Road in the spring; that will be coordinated with Bauen Corporation as part of the Library

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project. DOT suggested adding striping in the front of the Library so it's no longer confusing. R. Lamarre added there are other options, which included extending the curb in the front to eliminate the parking. If the Board felt that was viable, they would approach DOT about extending the curb and eliminating the parking. The Board was in agreement they didn't like the parking on Post Road and it was unsafe.

Chair Jerome noted that the Planning Board Engineer didn't receive the responses from the Library in time to review them. Board comments: D. Moore's concerns were safety—parking at the School, maintenance of sidewalks (he was concerned about the elderly walking from the School to the Library), etc. He also questioned liability if someone got injured; R. Lamarre recommended someone check with the Town Attorney. P. Sanderson stated that DOT's general policy was it's a municipal responsibility to maintain the sidewalks. M. Fougere stated that hearing from the Planning Board Engineer will be important; drainage and access issues are the biggest items.

J. McDevitt reviewed the architect's responses to the Planning Board Engineer's issues. Item 4: Purpose of setbacks and building height restrictions: R. Lamarre responded to deal with density in a responsible way. When most cities and towns have setbacks and building height restrictions they're trying to control certain overgrowth or sprawl. They may also be trying to deal with historic structures. J. McDevitt asked if there were safety issues attached to setbacks and building height restrictions. He used setbacks for wells, leach fields, and concerns with pollution and runoff and stormwater management as examples. Height restrictions may be applied due to fire department concerns. Responding to J. McDevitt's question, R. Lamarre stated that everything was a safety issue. J. McDevitt asked if the abutter had been a real-life to scale picture of the retaining wall. R. Lamarre responded they have given her a visual and are working with a landscape designer to develop additional visuals. They have also done a real-life scale 3-D model and she has seen all the elevations. She has walked the property with them; R. Lamarre felt they were fully aware of what the Library was trying to do. C. McLaughlin added there have two meetings with the abutter where R. Lamarre wasn't present. The owner is approximately 93 years old and blind; her daughter is always present when the visual displays are shown.

Item 11: J. McDevitt stated the parking in front of the Library needed to be eliminated, adding that Chief Laurent had provided a more detailed letter regarding parking on Post Road in October 2018. DOT will ask the Town to provide striping improvements and to formalize a parking agreement.

Items 12 and 14: Need to be reviewed by Altus.

Item 15: The expansion includes function rooms. With more patrons, there will be more traffic. R. Lamarre stated a traffic analysis isn't needed because the School generates more traffic volume than the Library and Church which are located in the same vicinity. C. McLaughlin added that over 70% of the time when the Library is open, School is not in session.

D. Moore asked about a fire engine being able to fit behind the Parish House. He had been at the Library earlier that evening; cars parked behind the Parish House restrict large vehicles from getting around. R. Lamarre responded this was an existing condition. D. Moore asked if the Parish House was going to redo their parking so a fire truck could get through; R. Lamarre responded "if the Fire Department makes them." The Fire Department looks at all buildings in Town; if they have an issue, a fire lane is put in especially if perimeter access is needed. The Library will only be 11,000 sq. ft. and by code, access around it isn't needed; it's well under the requirement. It's the same situation for the Parish House. There are four parking spaces on site. One option is to consider no parking spaces. For all intents and purposes, this will be a walk-up Library. D. Moore suggested making the four spaces handicap. J. McDevitt suggested sitting down with the Fire Chief and discussing his concerns. C.

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McLaughlin has met briefly with the Fire Chief; they are open to meeting with him again. V. Morgan suggested including the Police Chief also.

Item 16: A landscaping plan is not required; the project is not subject to the Site Plan Review Regulations. As a resident, J. McDevitt stated he would like to see the landscaping that was going to be done after spending \$3.5 million.

Item 17: No lighting plan was provided. When questioned by J. McDevitt, R. Lamarre stated the exits will be lighted. There was a discussion about people walking to the Library. R. Lamarre told the Board the four spaces at the Library will be lighted. Walking from the School to the Library will not change. They can provide a lighting plan for the four spaces at the Library. P. Sanderson noted that the Police Chief may want security lighting.

Parking: J. McDevitt questioned if there was a formal agreement with the School and Church for designated parking. C. McLaughlin responded there were preliminary talks earlier in the year with the School Board and representatives from the Church. The Town Attorney's concepts were that there would be joint use agreements and were drafted with his cooperation. There is a delay with the Church; it was C. McLaughlin's understanding the Church was looking at different options. In discussions with the School Board, they have set aside 10 spaces in principle; the location of those spaces hasn't been determined. There isn't an official agreement with the School Board; discussions are ongoing.

Items 33, 37, 38, 40, 41, 51, 52, 53: J. McDevitt would like Altus Engineers to review.

F. Catapano has worked in land development, construction and permitting business for 20 years. He stated that there is no town in the State of New Hampshire that would approve this site if it was anything other than a municipal building. The building is over size for a site so small; there are definitely safety issues—fire, turn radiuses for trucks—he couldn't imagine a Fire Chief allowing that. He considers it a municipal building; based on the square footage, there should be approximately 37 parking spaces; there are four on site and some at the School. He wasn't sure any Library needed one space for every 300 square feet. He understood the historic value of the Weeks Library to a lot of people in Town but had a hard time believing there wasn't a better location in Town. He was in full support of the Library and a new Library expansion, but had a hard time wrapping his head around that this doesn't work. He questioned if the Selectmen had agreed to the easements and agreements mentioned in Item 9 in Altus' comments. Snow removal was also a concern. He understood they didn't need approval from the Planning Board or to follow Town regulations; to him it was more than egregious that there are so many issues with the addition. It seems there are a lot things being ignored. As a resident of Greenland and a person who cares about the Town, it doesn't seem like the best usage of the \$3 million approved for an expansion.

S. Gerrato agreed it was tight. They show three parking spaces that will be used by employees, so basically there was no parking. Most libraries have no parking, and people walk. The most important parts are Town water and a good septic system.

J. Connelly stated he was also a member of the Budget Committee. When the Library budget was discussed at a recent Budget meeting, he questioned projections of maintenance and costs of the Library. He only received an answer regarding personnel and staffing. From a budgetary standpoint, he was very concerned about the operational expenses (staff and equipment associated with a new building). The 2019 budget was flat; what was being looked at for 2020 and 2021? What will be needed to maintain a building of this size? None of those issues seem to be thought of or addressed. He asked for projected costs to maintain the building. R. Lamarre responded they did have projections. The

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building will have a much more energy efficient HVAC system. The building is going from 2,000+ sq. ft. to 11,000 sq. ft.; it will be ventilated for the first time. There will be full air conditioning; the heat pump system will be much more energy efficient. The costs are incorporated into the project; furniture and equipment is also included in the cost of the project. The idea was to have more of a functioning Library not just to fill it up with books as it is now. They are also alleviating a lot of the problems in the existing Library: it will be ADA compliant and the amount of books will be reduced. The Library will probably be cleaned using the same cleaning crew they currently have; nothing changes. They will be cleaning 11,000 sq. ft. rather than 2,000 sq. ft. They can work with the Budget Committee for the projected numbers. The type of system they'll be installing runs approximately \$1 per square foot to maintain (heating, air conditioning and ventilation). They've tried to make the building as energy efficient, durable and as easy to clean as possible. J. Connelly commented that he appreciated the fact it was more energy efficient. He still didn't know what the costs would be to maintain the new efficiency. R. Lamarre offered to share historical from the Kingston and Atkinson libraries. The Weeks Library will have 100% LED lighting. J. Connelly stated that from a budgetary standpoint he would like the Trustees to provide the Budget Committee with estimated costs. He also echoed F. Catapano's comments about the size and scope of the project.

C. Medeiros commented that whenever she needs a book, she goes to Portsmouth; the Library is nice and there is a lot of studying space. She felt the opportunity to renovate the Weeks Library was great and definitely time. It was also a very big expansion; she knew they were planning for the future. Parking; she wished there were more; more land is needed. C. Medeiros asked if they had discussed the possibility of buying the abutter's lot. M. McLaughlin responded it was her understanding there was a previous approach made by the Town, and it was a "no go". It's very sensitive and M. McLaughlin was unaware of the history with the Town and the abutters. C. Medeiros was concerned about the safety issues. There was a lot to look at and she was a little hesitant.

P. Sanderson questioned Underwood Engineers about the pending permits. DOT: the plan was to enter the upper side of the Parish House and come around the back to access the parking spaces. There would be a one way exit onto Rt. 151. B. Dreyer responded that the plan was submitted to DOT. P. Sanderson asked what property interest DOT wanted to see from the Church in order to allow that to happen and does it need to be at the level of an easement. B. Dreyer thought that was the wording. P. Sanderson stated that would be an important term for the Board: in talking with the Attorney General's Office, an easement couldn't be granted or obtained over Library property. P. Sanderson also questioned the impact on the Church and the use of their property in the future. If this were done, P. Sanderson assumed the public would have an unfettered right to go into that particular driveway and around back in order to access the Library. B. Dreyer stated that would be part of the easement. P. Sanderson stated that the Church would be granting the Town much of their ability to control their own property, essentially all the open space. There is a hard property line between the two lots (one is private, one is public). Granting the public an unfettered right to go around their building may impact the value of the Parish House to the Church if it was sold. P. Sanderson continued that if this is done, they lose the ability to control parking on their property. B. Dreyer responded it would be detailed in the easement. P. Sanderson stated DOT probably didn't find driveway permits for the two locations because they're old buildings that pre-dated the statute. The two unpermitted locations are being linked together. Either party could put up barricades at the rear of the building; each would have the ability to use their own entrance.

R. Lamarre responded that it must be legally documented whether the project moves forward or not. The Church and Town should continue to work on it and legalize it, whether it's a revocable license, easement, or piece of paper. It has to be legally stated that the Church understands people drive in one way and exit the other. The Town doesn't want to enter into that legal agreement. R. Lamarre

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suggested if they wanted it safe and secure, the four parking spaces at the Library could be moved to the School and it becomes a walk-up Library. A nice green space would be created and less money would be spent on the septic system. How the Church would operate could be a problem because they would have a dead end. R. Lamarre felt it would be in the interest of both parties to purchase the Parish House if it came up for sale. The Library should be showcased; it's a beautiful building. The Parish House lot could be used for parking or even a park.

P. Sanderson stated the Parish House is primarily an open hall. If the Town owned the Parish House, would it have changed the design for the meeting space in the proposed addition? R. Lamarre responded no because of operational costs. 25% of the exterior walls on the existing building will be replaced and will be 25% more energy efficient before anything is done in terms of air infiltration and heat loss. The Parish House is a wood frame structure. If the Town were to purchase it and make it part of the Library project, the cost to renovate would be prohibitive and possibly more than the Library addition.

P. Sanderson asked what interest would be needed from the property for the DES permit. Another comment was about nitrate loading. B. Dreyer explained that DES rules require nitrate setbacks when over 1,000 gallons per day. When plans were submitted to DES, they were at 1,050 gallons. The nitrate setbacks are to the property line. DES comments were about the DOT right-of-way, which is technically not a property line. After discussion with DES, it was suggested they reduce the design flow by 51 gallons to be under the 1,000 gallons per day. Plans resubmitted to the Town show that reduction. P. Sanderson noted the assumption was, after the approval, that the Parish House and Library would be able to put more than 199 gallons per day into the system regardless of the use in the future. B. Dreyer responded there would be some work with DOT about nitrates going into the right-of way. P. Sanderson stated it limits both properties for now and the future unless something else was done. B. Dreyer felt the Church had the ability to do something on their site.

Chair Gerome opened the meeting to public comments. Mark Fleming, 94 Post Road: He has lived next to the School for 40 years and used the Library extensively; he walks. His experience is that the Library patrons are going to be parking next to his house or in front of the playground. Faculty will be parking closest to the Library and use the entire parking lot. The people being really disadvantaged are the older patrons, the people who are backing the building of the Library. He was disappointed; parking has always been a major concern. He noted that leading up to the vote there was a diagram with a nice parking lot off to the side of the SAU building with a pathway leading to the Library and seemed to be appropriate; it went away approximately six months ago. M. McLaughlin commented the people were informed. M. Fleming responded that the plan was public 18 months prior to its disappearance. M. Fleming's other concern was the Town has made some bad decisions in the past. He felt the right thing was being done by drilling down as deep as they could go with the relationship with the Church. The Town is tying itself to a piece of property that was going to come back and "bite us" if it's not done right. If stormwater management wasn't planned adequately, there would be a big issue.

Vaughan Morgan, 16 Holly Lane: V. Morgan is also a Selectman; he is not speaking on behalf of the Board of Selectmen but on a personal level. He has asked the Library Committee to answer some questions regarding safety. He hasn't heard back from the Police Chief, Building Inspector, or Fire Chief regarding the safety aspects. They are extremely important whether or not the Town has to conform to some of the codes. To him, safety trumps everything. Until he hears back from those people, he will not be in favor of signing anything else to go forward with the Library. He has had many residents contact him that voted for the Library; they felt they were blindsided. They have said they wouldn't have voted for it had they known what was going on.

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Chair Gerome was in agreement that safety was a big concern for everyone. He felt Chief Laurent wrote a good letter and suggested there be a safety meeting with the Planning Board. He wanted whatever was done to be on the record. The Planning Board needed to be put at ease about safety and parking.

Chester Deorocki, 41 Osprey Cove and Selectman: Speaking for himself, he felt the engineers and Library had done a great job showing the building could be built. Should it be built? He didn't think so; there are too many variables including parking, stormwater, etc. The lot just wasn't big enough. Building on the site is out of control. What happens to the resale value of the house on the right when the current residents are gone and the next person says "I like it but there looks like there's a prison in the back yard"? That's what the picture looks like to him. He was not in favor of it going forward and felt it needed another site. Chair Gerome stated the value of the adjacent property hasn't been discussed. In the future it could be a factor and should be a factor in the Board's decision making.

Chair Gerome closed the public hearing and returned to the Board. J. McDevitt stated they are making no decisions. They will provide the Library with a written report. He questioned if this would be the last time they would meeting with all parties present; there was no response. He continued that he was looking for the responses from the Planning Board Engineer. A lot of his concerns were with the Aquifer Protection Zone and the slopes. He asked the process for the Planning Board going forward. Chair Gerome stated they would plan on formulating a response to the Selectmen at the Board's next meeting. He wanted to be sure they had the Planning Board Engineer's responses as well as Police and Fire. Permits are still pending. Chair Gerome noted that Rich Winsor and the Building Inspector sent letters to the Board to be included in the record (copy on file).

It was suggested that the safety meeting be held in the Town Hall Conference Room and the meeting be recorded. Several Board members expressed interest in being at that meeting. It will try to be scheduled as a Planning Board meeting.

3. Approval of Minutes

MOTION: F. Catapano moved to approve the minutes of Thursday, October 18, 2018. Second – C. Medeiros; seven in favor, two abstain (S. Gerome, J. McDevitt). MOTION CARRIED

MOTION: J. McDevitt moved to approve the minutes of Thursday, November 01, 2018. Second – D. Moore; five in favor, four abstain (F. Catapano, J. Connelly, C. Medeiros, P. Sanderson). MOTION CARRIED

4. Approval of Invoices

MOTION: C. Medeiros moved to approve payment of the Rockingham Planning Commission invoice from the Town Budget for land use books in the amount of \$47. Second – D. Moore; all in favor. MOTION CARRIED

5. Other Business

M. Fougere updated the Board that Lonza was scheduled at the Portsmouth Planning Board tonight; it has been postponed to December. On Monday, November 05, 2018, S. Gerrato and M. Fougere attended the RPC meeting relative to regional impact. Lonza's attorney was present; he opened their response by stating there's no nexus between their project and any impact on Rt. 33. All their traffic comes from Maine and Rochester. This was done in response to Vanasse's report, showing there was a lack of impact. They referred to a 1992 corridor study and that traffic wasn't at that level yet. There's

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no money at Pease; if anything is done, go see the 10 year highway plan. The Rockingham Traffic Engineer stated that if they were relying on that, don't; it will be 10 years longer before any money is designated. M. Fougere commented that it went as expected. The audacious comment of the evening was from the PDA representative who had the audacity to say there really isn't much land left; this is probably the last big project to be developed. Her boss told the Portsmouth City Council another 2,000 to 3,000 jobs could be added on top of the Lonza project.

M. Fougere received a letter from the committee several days earlier recommending additional study. They are advocating that Greenland work with its neighbors on a corridor study. S. Gerrato added that Lonza tried to convince those present that their shifts are 12 hours. The employees get in the locker room at 6:30 a.m. to be on shift at 7:00 a.m. They stated only 15 people come through Greenland. S. Gerrato continued that you can't go after Lonza for the gridlock; you have to go after the whole project.

S. Gerrato stated it looked like there needed to be another way to get money for the corridor study. The application should still be submitted for the 10 year plan this year in phases. Something needed to be done; do not let it go.

M. Fougere stated the approval Lonza was going to ask for involved no one working in the building. They were going to do site work and build a shell. They have agreed with the City of Portsmouth to go back for additional approvals when they have a better idea of filling the building up. Even though it was advertised at 1.2 million sq. ft., they will be amending their application and receive approval for a shell. M. Fougere felt the Planning Board should continue to advocate with the PDA for a plan of action while it's on everyone's mind. It could take a year or two to negotiate a plan of action.

F. Catapano stated that the Planning Board wasn't against development at Pease and he was highly offended by the article in the paper. S. Gerrato added that it was stated Greenland is invited to the meetings and never shows up; now Greenland is complaining. Several comments were made that Greenland has no representation.

S. Gerrato discussed the problem in 2011 in Windham and that a corridor with two roundabouts was built. There are no traffic lights, no left turns and traffic moves at 30-35 mph. He added that if Greenland could build something similar, all the problems would be solved. There could be a roundabout at Winnicut Road and Ocean Road. The traffic light at Portsmouth Avenue would be gone; people exiting Post Road would have to turn right and go around the roundabout. There is a film he would like to Board to watch and will send the Board Secretary the link. P. Sanderson stated the problem with the roundabout would be the Winnicut River. S. Gerrato stated that a three lane bridge would be wide enough and described how it would work. F. Catapano stated that roundabouts function better than traffic lights. The Board gave S. Gerrato permission to show the film.

The CIP letter prepared by M. Fougere will be discussed at the next meeting. Chair Gerome would like comments and courses of action that could be recommended to the Selectmen.

P. Sanderson gave an update on Coakley. There is a residence on Breakfast Hill Road near the railroad tracks and the Breakfast Hill Golf Course's primary building have tested above the new State limits of 1,4 Dioxane. The EPA and DES have sent a letter to the CLG; both locations are on bottled water. Filtration systems or municipal water need to be done. The contaminated well at the Golf course is not the irrigation well but serves the Clubhouse. Fish testing was done by Fish and Game. The fish from the hatcheries were clean; the fish from Berry Brook had some evidence of PFA's but didn't go over the screening limits. Additional studies are being done on wildlife, primarily at Pease Refuge. There is a national concern about the possibility of deer being contaminated and hunter's being at risk.

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J. McDevitt asked if there was any serious discussion about pump and treat and providing reverse osmosis systems to the affected locations. P. Sanderson responded there has been no serious discussion regarding that. Underwood Engineering is doing a study on the public water line. There are indications that the cost could be \$16 million to bring the water line from Lafayette Road to Breakfast Hill Road and extending it to feeder areas. There would be an additional charge of approximately \$1,500 to connect each house. J. McDevitt stated it may be cheaper to use reverse osmosis systems than bringing the water down.

6. Topics for Work Session: Thursday, December 06, 2018

There were no topics to discuss.

7. Adjournment

MOTION: J. Connelly moved to adjourn at 8:28 p.m. Second – J. McDevitt; all in favor. MOTION CARRIED

NEXT MEETING

Thursday, December 06, 2018 – 7:00 p.m., Town Hall Conference Room

Respectfully Submitted: Charlotte Hussey, Secretary to Boards

Approved: